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Counsel for Defendant NEFTALI BONILLA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-00538 LHK
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING HEARING DATE
vs.)	
)	
NEFTALI BONILLA,)	
)	
Defendant.)	
)	

STIPULATION

Defendant Neftali Bonilla, by and through Assistant Federal Public Defender Heather R. Rogers, and the United States, by and through Special Assistant United States Attorney Carolyne Sanin, hereby stipulate that, with the Court's approval, the status hearing currently set for Wednesday, February 1, 2012, at 10:00 a.m., before the Honorable Lucy H. Koh, shall be continued to Wednesday, February 22, 2012, at 9:00 a.m.

The reason for the requested continuance is the defense is awaiting the outcome of ongoing investigation in order to effectively advise Mr. Bonilla regarding a proposed settlement. The parties therefore respectfully request a continuance to February 22, 2012, at 9:00 a.m.

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1 The parties agree that the time between February 1, 2012, and February 22, 2012, may be
2 excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective
3 preparation of counsel.

4
5 Dated: January 31, 2012

6 /s/
HEATHER ROGERS
Assistant Federal Public Defender

7
8 Dated: January 31, 2012

9 /s/
CAROLYNE SANIN
Special Assistant United States Attorney

10
11 **~~[PROPOSED]~~ ORDER**

12 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
13 ORDERED that the hearing currently set for Wednesday, February 1, 2012, at 10:00 a.m., before
14 Magistrate Honorable Lucy H. Koh, shall be continued to Wednesday, February 22, 2012, at 9:00
15 a.m.

16 THE COURT FINDS that failing to exclude the time between February 1, 2012, and
17 February 22, 2012, would unreasonably deny counsel for the defendant reasonable time necessary
18 for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §§
19 3161(h)(7)(B)(iv).

20 THE COURT FINDS that the ends of justice served by excluding the time between
21 February 1, 2012, and February 22, 2012, from computation under the Speedy Trial Act outweigh
22 the interests of the public and the defendant in a speedy trial.

23 THEREFORE, IT IS HEREBY ORDERED that the time between February 1, 2012, and
24 February 22, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
25 3161(h)(7)(A) and (B)(iv).

26 //

1 IT IS SO ORDERED.

2 Dated: 1/31/12


HON. LUCY H. KOH
United States Magistrate Judge